

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

KB PARTNERS I, LP Individually and on
Behalf of All Other Similarly Situated,

Plaintiff,

v.

PAIN THERAPEUTICS, INC., REMI BARBIER,
NADAV FRIEDMANN, and PETER RODDY

Defendants.

Case No. A-11-CV-1034-SS

**CLASS PLAINTIFF'S UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Class Representative KB Partners I, LP (“Class Plaintiff”), individually and on behalf of themselves and all others similarly situated, moves this Court for preliminary approval of the proposed Settlement and Class notice. As is more fully set forth in the Memorandum of Law filed herewith, Class Plaintiffs state as follows:

1. The proposed Settlement meets the standards for preliminary approval;
2. The factors considered in the Fifth Circuit when determining final approval also support preliminary approval of the proposed Settlement;
3. The proposed notice program is appropriate; and
4. Defendants do not oppose the relief sought herein.¹

¹ However, Defendants deny any wrongdoing or liability and the Settlement is not an admission of wrongdoing or liability by the Defendants.

WHEREFORE, Class Plaintiff respectfully requests that the Court grant preliminary approval and enter the [Proposed] Order Preliminarily Approving Settlement and Providing for Notice filed contemporaneously herewith.

Dated: August 31, 2016

Respectfully submitted,

POMERANTZ LLP

/s/ Tamar A. Weinrib

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